

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA

In Re:

MATTHEW WILLIAM TOPKA,
Debtor.

Bankruptcy No. 10-38919
Chapter 7

APPLICATION TO EMPLOY DUNLAP & SEEGER, P.A.

1. Michael S. Dietz, Trustee for the bankruptcy estate of the above Debtor, applies to the court for the relief requested below.
2. Applicant is the Trustee in this case. Applicant believes that the employment of an Attorney is necessary to provide proper legal representation and assistance to the Trustee in carrying out the Trustee's duties as follows: To investigate and litigate an objection to exemption of equipment of lawn service based on debtor's constructive pre-petition transfer of ownership to his former partner, further to investigate and litigate a fraudulent transfer action against the former partner to recover the equipment. The foregoing services shall also include such other legal services as are reasonably related to the foregoing.
3. **Dunlap & Seeger, P.A. (Michael S. Dietz and other shareholders and associates of the firm)** is qualified by reason of practice and experience to render such representation or assistance.
4. The compensation will be as follows: **Fees will be charged on an hourly basis at the standard rates charged by Dunlap & Seeger, P.A. for this type of work or as such rates may be adjusted from time to time by the firm (e.g., Attorney, Michael S. Dietz - \$370.00 per hour), together with reimbursement of actual expenses.**
5. This professional has disclosed to the Trustee that it has the following connections with the Debtor, creditors, or any other party in interest, their respective attorneys or accountants, the

United States Trustee or any person employed in the office of the United States Trustee:

Attorney, Michael S. Dietz, is the Trustee appointed in the Debtor's bankruptcy.

6. The Trustee has made the following efforts to investigate this matter prior to submitting this Application: The Trustee has reviewed the schedules and related documents.

WHEREFORE, applicant prays that the Court approve such employment by the Trustee.

Dated: February 8, 2011

/e/Michael S. Dietz
Michael S. Dietz, Trustee
206 South Broadway, Suite 505
Post Office Box 549
Rochester, Minnesota 55904
Telephone: (507)288-9111

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In Re:

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Debtor. Chapter 7

VERIFIED STATEMENT PURSUANT TO FEDERAL RULE 2014(a)

I, Michael S. Dietz, of **Dunlap & Seeger, P.A.**, the proposed professional named in the application for employment on behalf of the above named bankruptcy estate, declare under penalty of perjury the following:

1. I am a shareholder in the firm of Dunlap & Seeger, P.A.
2. Dunlap & Seeger, P.A. does not hold or represent any interest adverse to the estate and is disinterested as required by Section 327 of the Bankruptcy Code.
3. Dunlap & Seeger, P.A. does not have any connections to the Debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the offices of the United States Trustee, except for the following: Michael S. Dietz is the Chapter 7 Trustee appointed in this bankruptcy case.

Dated: February 8, 2011.

DUNLAP & SEEGER, P.A.

By: /s/ Michael S. Dietz
Michael S. Dietz
Registration No. 188517

206 South Broadway, Suite 505
Post Office Box 549
Rochester, MN 55903-0549
(507) 288-9111

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ORDER APPROVING EMPLOYMENT OF DUNLAP & SEEGER, P.A.

An Application to Employ Dunlap & Seeger, P.A. as attorney of the estate came before the undersigned. Based on the Application, the recommendation of the United States Trustee, and pursuant to Section 327 of the Bankruptcy Code,

IT IS HEREBY ORDERED that the professional employment of Dunlap & Seeger, P.A. to provide legal services as described in the Application to Employ Attorney, dated February 8, 2011, is approved, subject to the limitations on compensation provided by Section 328 of the Bankruptcy Code.

Dated: _____

Gregory F. Kishel
Chief United States Bankruptcy Judge